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8 *Attorneys for Defendants State of California*  
*(by and through the California Highway*  
9 *Patrol) and Sergio Flores*

10 **IN THE UNITED STATES DISTRICT COURT**  
11 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

13 JACOB GREGOIRE,

14 Plaintiff,

15 v.

16  
17 CALIFORNIA HIGHWAY PATROL,  
an agency of the State of California;  
18 SERGIO FLORES, and DOES 1 to 20,  
19 Defendants.

Case No.: 14-cv-01749-GPC (DHB)

**NOTICE OF DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT OR, IN THE  
ALTERNATIVE, SUMMARY  
ADJUDICATION OF CLAIMS**

Date: January 29, 2016  
Time: 1:30 p.m.  
Courtroom: 2D  
Judge: The Honorable Gonzalo P.  
Curiel

21 **TO PLAINTIFF JACOB GREGOIRE (BY AND THROUGH HIS**  
22 **ATTORNEYS OF RECORD):**

23 **PLEASE TAKE NOTICE** that, on January 29, 2016, at the hour of 1:30  
24 p.m., or as soon thereafter as the matter may be heard before the Honorable  
25 Gonzalo P. Curiel in Department 2D of the above-entitled Court (located at 221  
26 West Broadway, San Diego, California 92101), Defendants State of California (by  
27 and through the California Highway Patrol) and Sergio Flores will move, and  
28 hereby do move, the Court, under Rule 56 of the Federal Rules of Civil Procedure,

1 for entry of summary judgment in Defendants' favor as to all claims in Plaintiff's  
2 Complaint in this action (see Doc. 1-1). The grounds for this motion are that there  
3 is no genuine issue of material fact and the moving Defendants are entitled to  
4 judgment as a matter of law on all claims. Also, Defendant Sergio Flores is entitled  
5 to qualified immunity on Plaintiff's 42 U.S.C. § 1983 claims.

6 In the alternative, Defendants move for summary adjudication on each claim  
7 for which Plaintiff fails to demonstrate a genuine material dispute.

8 This motion will be based upon this notice and the following documents:

9 1. Memorandum of Points and Authorities in Support of Defendants' Motion  
10 for Summary Judgment or, in the Alternative, Summary Adjudication of Claims  
11 (served and filed herewith);

12 2. Declaration of Douglas E. Baxter in support of Defendants' Motion for  
13 Summary Judgment or, in the Alternative, Summary Adjudication of Claims (with  
14 Exhibits A & B) (served and filed herewith);

15 3. Declaration of Defendant Sergio Flores in Support of Defendants' Motion  
16 for Summary Judgment or, in the Alternative, Summary Adjudication of Claims  
17 (with Exhibits A & B) (served and filed herewith);

18 4. Declaration of Eliazar Colunga in Support of Defendants' Motion for  
19 Summary Judgment or, in the Alternative, Summary Adjudication of Claims  
20 (served and filed herewith);

21 5. Separate Statement of Undisputed Material Facts in Support of Defendants'  
22 Motion for Summary Judgment or, in the Alternative, Summary Adjudication of  
23 Claims (served and filed herewith).

24 6. The Court's file in this case; and on such additional pleadings, arguments,  
25 and evidence as the Court may entertain in connection with the hearing of this  
26 matter.

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1 Dated: November 23, 2015

Respectfully submitted,

2 KAMALA D. HARRIS  
3 Attorney General of California  
4 RICHARD F. WOLFE  
5 Supervising Deputy Attorney General

6 s/DOUGLAS E. BAXTER  
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10 *California (by and through the*  
11 *California Highway Patrol) and*  
12 *Sergio Flores*

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